

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEREMIAH HERBERT,

Plaintiff,

-against-

CAPTAIN JAMES GINTY, et al.,

Defendants.

ORDER

20-CV-06348 (PMH)

PHILIP M. HALPERN, United States District Judge:

Counsel for all parties appeared in Courtroom 520 for an in-person pretrial conference on August 31, 2023. As discussed on the record, this matter is slated as backup to the Court's presently scheduled jury trials on October 10, 18, and 30, 2023, and the parties are on five days' notice of trial.

At the conference, the Court granted as unopposed branches one and three of Plaintiff's motion *in limine* (Doc. 164; Doc. 165) concerning evidence of Plaintiff's criminal history and prior lawsuits, and denied without prejudice to renewal branch two of Plaintiff's motion *in limine* regarding Plaintiff's disciplinary history.

Additionally, as discussed on the record, the Court denied Defendants' request for a pre-motion conference concerning a motion for summary judgment as untimely.

As explained more fully on the record during the appearance, the Court directs as follows:

1. The parties shall meet and confer regarding the Court's directives and instructions regarding changes to the Joint Pretrial Order (Doc. 163) and file, **by September 8, 2023 at 5:00 p.m.**, and Amended Joint Pretrial Order.
2. The parties shall meet and confer regarding the Court's directives and instructions regarding changes to the proposed Verdict Sheet (Doc. 162) and file, **by September 8, 2023 at 5:00 p.m.**, a revised proposed Verdict Sheet.

3. The parties shall meet and confer regarding the Court's directives and instructions regarding changes to the proposed Jury Instructions (Doc. 160) and file, **by September 8, 2023 at 5:00 p.m.**, a revised proposed Jury Instructions.
4. The questions in the parties' proposed *Voir Dire* (Doc. 161) are all granted or granted in substance except Question Nos. III(12), IV(3)-(4), VI(A)(2), and VI(B)(4) are denied.
5. A final pretrial conference has been scheduled for **October 2, 2023 at 3:30 p.m.**

See Transcript.

An order referring the parties to the Magistrate Judge for a settlement conference will be docketed separately.

SO ORDERED:

Dated: White Plains, New York
August 31, 2023



PHILIP M. HALPERN
United States District Judge